10-28-76
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BOOK 5095 PAGE 108

IN THE FIFTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

VOLENA MARGARET (ERWIN) CALBREATH,
Plaintiff

vs. NO: 83889

EDWARD CARTER CALBREATH, III,
Defendant

Map Parcel
32-104

FINAL DECREE

DEC-9'76 MISC B* 6.00 * 6.00

This cause came on to be heard on the 18th day of October, 1976, before the Honorable Stephen North, Judge of the Fifth Circuit Court for Davidson County, Tennessee, upon the original complaint filed by the Plaintiff, service being had on the Defendant, Order for Default Judgment, testimony of the Plaintiff and witnesses in open Court, statement of counsel and the entire record in this cause, from all of which the Court is of the opinion that the Defendant is guilty of such cruel and inhuman treatment or conduct towards the Plaintiff as renders cohabitation unsafe and improper.

It is therefore, ORDERED, ADJUDGED and DECREED by the Court that the Plaintiff be and hereby is granted an absolute divorce from the Defendant and restored to all the rights and privileges of an unmarried person.

It is further ORDERED, ADJUDGED and DECREED by the Court that the care, custody and control of the parties' minor child, Michael Edward Calbreath, shall be granted to the Plaintiff with the Defendant being granted reasonable visitation privileges with said minor child.

It is further ORDERED, ADJUDGED and DECREED by the Court that the Defendant shall pay to the Plaintiff the sum of Thirty ($30.00) Dollars per week for the support and maintenance of the parties' minor child.

It is further ORDERED, ADJUDGED and DECREED by the Court that the Plaintiff be granted the 1974 Ford Thunderbird automobile owned by the parties and that all right, title and interest that the Defendant may have in and to said automobile be divested out of him and vested into the Plaintiff, and that the Defendant will give the Plaintiff a clear title to this automobile and pay any indebtedness that is due on this automobile or in the alternative, will hold the Plaintiff harmless for any mortgage on this automobile.

It is further ORDERED, ADJUDGED and DECREED by the Court that all furniture and appliances owned by the parties remain as now divided.

It is further ORDERED, ADJUDGED and DECREED by the Court that the Defendant shall be granted the property owned by the parties located at 1521 Hunters Lane, Nashville, Tennessee, being described in a deed of record in Book 4698, page 608, Register's Office for Davidson County, Tennessee,but the Plaintiff will retain a lien on this property in the amount of Five Thousand ($5,000.00) Dollars to be payable within seven (7) years from October 18, 1976.

It is further ORDERED, ADJUDGED and DECREED by the Court that the Defendant be required to pay a fee for the Plaintiff's solicitor in the amount of $350.00 for his services rendered to her, and further, that the Defendant shall be required to pay the costs of this cause, for all of which execution may issue, if necessary.

ENTERED this the _____ day of October, 1976.

s/ Stephen North
JUDGE

APPROVED FOR ENTRY:

HAYNES & SMITH

BY: s/ James L. Smith
James L. Smith
Attorney for Plaintiff

C E R T I F I C A T E

I hereby certify that a copy of this Final Decree has been mailed to the Defendant, EDWARD CARTER GALBREATH, III, c/o Galbreath Bros Plumbing Company, 106 East Street, Goodlettsville, TN, 37072, on this the 22 day of October, 1976.

/s/ James L. Smith
James L. Smith

D 80437

TO ATTY. REFERENCE

Dec 9 10 47 AM '76

FEE

FOSTER
DAVIDSON COUNTY, TENN.

Docket No. 83889 32C/1622

STATE OF TENNESSEE

I, GEORGE L. ROOKER, *Clerk of the Circuit Court for the County of Davidson, in the State aforesaid, do certify that the foregoing is a* true copy *of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Volena Margaret (Erwin) Galbreath *Plaintiff, and* Edward Carter Galbreath, III *Defendant, as same remain of record in said Court.*

IN TESTIMONY WHEREOF, *I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the* 9th *day of* December *in the year one thousand nine hundred and* seventy-six *and in the* 201st *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Patty Hooper, *D. C.*

Form #GR-117